



98-29-05

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/734,609  
Confirmation No. : 9335  
Applicant: : Smith et al.  
Filed: : December 12, 2003  
Group Art Unit : 1648  
Examiner: : Salvoza, M. Franco G.  
For : Alpha Virus Particles and Methods for Preparation  
Docket No. : 79-02  
Customer No. : 23713

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

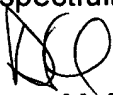
Sir:

Further to the Information Disclosure Statement filed October 14, 2004, the Examiner is respectfully requested to consider the additional references, copies enclosed, which may qualify as prior art. For the Examiner's Convenience, the references are listed on the attached Patent and Trademark Office Form PTO-1449. Pursuant to the Waiver of the Copy Requirement in 37 C.F.R. 1.98 for Cited Pending U.S. Patent Applications signed on September 21, 2004 and published on [www.uspto.gov](http://www.uspto.gov) on September 24, 2004, copies of pending U.S. applications that are available in the Image File Wrapper system are not submitted, but will be provided on request.

This information is cited in a spirit of forthrightness and cooperation to enable the applicants to obtain that measure of protection for the invention to which there is entitlement. However, no representation is made that the listed art actually qualifies as prior art under the patent statute and the mere use of PTO-1449 is not an admission that all listed references are prior art. No representation is made that applicants know of the best art.

This submission is accompanied by a check in the amount of \$180 as required under 37 CFR 1.97(c). If this amount is incorrect, please charge any deficiency or credit any overpayment to deposit account 07-1969.

Respectfully submitted,



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Attorney Docket No. 79-02  
lem:August 26, 2005

Substitute for form 1449/PTO, based on PTO/SB/08A and 08B

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Application Number	10/734,609
Filing Date	12/12/2003
First Named Inventor	Smith et al.
Art Unit	1648
Examiner Name	Michael M. McGaw
Attorney Docket Number	79-02

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**U.S. PATENT DOCUMENTS**

Examiner Initial*	Cite No. <sup>1</sup>	Document Number (US-)	Publication Date (MM-DD-YYYY)	Name	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear (or entire document unless noted otherwise)
	1	6,844,188	01/18/2005	MacDonald et al.	
	2	6,783,939	08/31/2004	Olmsted et al.	
	3	6,583,121	06/24/2003	Johnston et al.	
	4	6,451,592	09/17/2002	Dubensky, Jr. et al.	
	5	6,426,196	07/30/2002	Dubensky, Jr. et al.	
	6	6,391,632	05/21/2002	Dubensky, Jr. et al.	
	7	6,376,236	04/23/2002	Dubensky, Jr. et al.	
	8	6,342,372	01/29/2002	Dubensky, Jr. et al.	
	9	6,329,201	12/11/2002	Polo et al.	
	10	6,261,570	07/17/2002	Parker et al.	
	11	6,224,879	05/01/2002	Sjoberg et al.	
	12	6,156,558	12/05/2000	Johnston et al.	
	13	6,146,874	11/14/2000	Zolotukhin et al.	
	14	6,015,694	01/18/2000	Dubensky, Jr. et al.	
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	24	4,708,871	11/24/1987	Geysen	
	25	2005/0123555	06/09/2005	Olmsted et al.	
	26	2005/0054107	03/10/2005	Chulay et al.	
	27	2004/0235133	11/25/2004	Frolov et al.	
	28	2004/0029278	02/12/2004	Dubensky et al.	
	29	2003/0232035	12/18/2003	Dubensky et al.	
	30	2003/0148262	08/07/2003	Polo et al.	
	31	2003/0119182	06/26/2003	Smith et al.	
	32	2002/0141975	10/03/2002	Olmsted et al.	

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		Examiner Name	Michael M. McGaw
		Attorney Docket Number	79-02

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**FOREIGN PATENT DOCUMENTS**

Examiner Initial*	Cite No. <sup>1</sup>	Foreign Patent Document Number (include WIPO country code)	Publication Date (MM-DD-YYYY)	Name	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear (or entire document unless noted otherwise)	T <sup>2</sup>
	33	WO 04/085660	10/07/2004	Smith et al.		
	34	WO 03/023026 A	03/20/2003	Smith et al.		
	35	WO 02/20721	03/14/2002	Johnston et al.		
	36	WO 00/61772	10/19/2000	Polo et al.		
	37	WO 00/39318	07/06/2000	Polo et al.		
	38	WO 96/37616	11/28/1996	Johnston et al.		
	39	WO 96/37220	11/28/1996	Johnston et al.		
	40	WO 96/17072	06/06/1996	Dubensky, Jr. et al.		
	41	WO 95/31565	11/23/1995	Sjoberg et al.		
	42	WO 95/27044	10/12/1995	Liljestrom et al.		
	43	WO 95/07994	03/23/1995	Dubensky, Jr. et al.		
	44	WO 92/10578	06/25/1992	Garoff et al.		

**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initial*	Cite No. <sup>1</sup>	REFERENCE Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	45	Barouch et al. (2000) "Augmentation of Immune Responses to HIV-1 and Simian Immunodeficiency Virus DNA Vaccines by IL-2/Ig Plasmid Administration in Rhesus Monkeys," <i>Proc. Natl. Acad. Sci. USA</i> 97(8):4192-4197	
	46	Berglund et al. (1993) "Semliki Forest Virus Expression System: Production of Conditionally Infectious Recombinant Particles," <i>Bio/Technology</i> 11:916-920	
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	48	Bredenbeek et al. (1993) "Sindbis Virus Expression Vectors: Packaging of RNA Replicons by Using Defective Helper RNAs," <i>J. Virol.</i> 67:6439-6446	
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	51	Chappell et al. (Feb. 2000) "A 9-nt Segment of a Cellular mRNA can Function as an	

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Sheet 3 of 8

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		Art Unit	<b>1648</b>
		Examiner Name	<b>Michael M. McGaw</b>
		Attorney Docket Number	<b>79-02</b>

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		Internal Ribosome Site (IRES) and When Present in Linked Vaccine Efficacy," <i>Proc. Natl. Acad. Sci. USA</i> 97(4):1536-1541	
	52	Corsini et al. (1996) "Efficiency of Transduction by Recombinant Sindbis Replicon Virus Varies Among Cell Lines, Including Mosquito Cells and Rat Sensory Neurons," <i>BioTechniques</i> 21(3):492-497	
	53	Cutler et al. (1986) "Mutants of the Membrane-binding Region of Semliki Forest Virus E2 Protein.I. Cell Surface Transport and Fusogenic Activity," <i>J. Cell Biol.</i> 102:889-901	
	54	Davis et al. (1993) "A Genetically Engineered Live Virus Vaccine for Venezuelan Equine Encephalitis," <i>J. Cell Biochem. Supp</i> O No.17 part D, Abstract N404	
	55	Davis et al. (1996) "A Viral Vaccine Vector that Expresses Foreign Genes in Lymph Nodes and Protects Against Mucosal Challenge," <i>J. Virol.</i> 70:3781-3787	
	56	Davis et al. (1995) "Attenuated Mutants of Venezuelan Equine Encephalitis Virus Containing Lethal Mutations in the PE2 Cleavage Signal Combined with a Second-Site Suppressor Mutation in E1," <i>Virol.</i> 212:102-110	
	57	Davis et al. (1991) "Attenuating Mutations in the E2 Glycoprotein Gene of Venezuelan Equine Encephalitis Virus: Construction of Single and Multiple Mutants in a Full-Length cDNA Clone," <i>Virol.</i> 183:20-31	
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	59	Davis et al. (1990) "In Vitro Synthesis of Infectious Venezuelan Equine Encephalitis Virus RNS from a cDNA Clone: Analysis of a Viable Deletion Mutant and Mutations Affecting Virulence," <i>Vaccines</i> 90:109-113	
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	62	Davis et al. (1994) "A Molecular Genetic Approach to the Study of Venezuelan Equine Encephalitis Virus Pathogenesis," <i>Arch. Virol.</i> 9:99-109	
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	65	Favre et al. (1993) "Semliki Forest Virus Capsid Protein Expressed by a Baculovirus Recombinant," <i>Arch. Virol.</i> 132:307-319	
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		Art Unit	<b>1648</b>
		Examiner Name	<b>Michael M. McGaw</b>
		Attorney Docket Number	<b>79-02</b>

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	67	Garoff et al. (1983) "Expression of Semliki Forest Virus Proteins from Cloned Complementary DNA. II. The Membrane-Spanning Glycoprotein E2 is Transported to the Cell Surface Without its Normal Cytoplasmic Domain," <i>J. Cell Biol.</i> 97:652-658	
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	78	Holcik et al. (2000) "Functional Characterization of the X-Linked Inhibitor of Apoptosis (XIAP) Internal Ribosome Entry Site Element: Role of La Autoantigen in XIAP Translation," <i>Mol. Cell. Biol.</i> 20(13):4648-4657	
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	81	International Search Report of International Application Serial No. PCT/US02/28610 filed September 6, 2002	
	82	International Search Report Corresponding to PCT/US 2004/008458 Filed October	

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		25, 2004	
	83	Jalanko (1985) "Expression of Semliki Forest Virus Capsid Protein from SV40 Recombinant Virus," <i>FEBS Lett.</i> 186:59-64	
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	86	Johnston et al. (1996) "Alphaviruses," In: <i>Fields Virology</i> , 3 <sup>rd</sup> ed., Lippincott-Raven Publishers, Philadelphia, Chapt 28:843-898	
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	94	Leone et al. (1985) "In Vitro Synthesis of the Gene Coding for the Glycoprotein E1 of Sindbis Virus," <i>Microbiologica</i> 8(2):123-130	
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		1240	
	99	Lundstrom et al. (1985) "Secretion of Semliki Forest Virus Membrane Glycoprotein E1 from <i>Bacillus subtilis</i> ," <i>Virus Res.</i> 2:69-83	
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	106	Orkin et al. (1995) "Report and Recommendations of the Panel to Assess the NIH Investment in Research on Gene Therapy"	
	107	Paredes et al. (1993) "Three-Dimensional Structure of a Membrane-Containing Virus," <i>Proc. Natl. Acad. Sci. USA</i> 90:9095-9099	
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>	Substitute for form 1449/PTO, based on PTO/SB/08A and 08B	Application Number	<b>10/734,609</b>
		Filing Date	<b>12/12/2003</b>
		First Named Inventor	<b>Smith et al.</b>
		Art Unit	<b>1648</b>
		Examiner Name	<b>Michael M. McGaw</b>
		Attorney Docket Number	<b>79-02</b>

GWS 8/26/2005

Examiner Initial*	Cite No. <sup>1</sup>	REFERENCE Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		<i>J. Virol.</i> 56:227-239	
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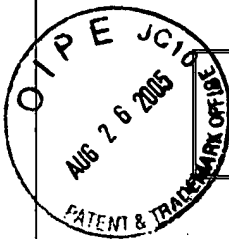
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		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
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Attorney Docket No.: 79-02

Application No. : 10/734,609  
Applicant: : Smith et al.  
Filed: : December 12, 2003  
For: : Alpha Virus Particles and Methods for Preparation

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